

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA §
§
v. § CRIMINAL ACTION NO. 4:23-CR-00200-
§ ALM-AGD
JOSE DE JESUS SANDOVAL (1) §

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Now before the court is the request for revocation of Defendant Jose De Jesus Sandoval's ("Defendant") supervised release. After the District Judge referred the matter to this court for a report and recommendation, the court conducted a hearing on September 4, 2024, to determine whether Defendant violated his supervised release. Defendant was represented by John Hunter Smith. The Government was represented by Marisa Miller.

Defendant was sentenced on January 21, 2015, before The Honorable Janis Graham Jack of the Southern District of Texas after pleading guilty to the offense of Illegal Re-Entry, a Class D felony. This offense carried a statutory maximum imprisonment term of 20 years. The guideline imprisonment range, based on a total offense level of 21 and a criminal history category of III, was 46 to 57 months. Defendant was subsequently sentenced to 46 months imprisonment followed by a 3-year term of supervised release subject to the standard conditions of release, plus special conditions to include deportation proceedings and nighttime restrictions. On December 29, 2017, Defendant completed his period of imprisonment and began service of the supervision term. On August 31, 2023, jurisdiction was transferred from the Southern District of Texas to the Eastern District of Texas and assigned to The Honorable Amos L. Mazzant, III, U.S. District Judge. (Dkt. #6 at p. 1, Sealed).

On September 18, 2023, the United States Probation Officer executed a First Amended Petition for Warrant or Summons for Offender Under Supervision (Dkt. #2, Sealed). The Petition asserts that Defendant violated two (2) conditions of supervision, as follows: (1) Mandatory Condition Defendant shall not commit another federal, state, or local crime; and (2) Mandatory Condition Defendant must not unlawfully possess a controlled substance. (Dkt. #2 at pp. 1, Sealed).

The First Amended Petition alleges that Defendant committed the following acts: (1) On July 8, 2020, a one-count Indictment was filed in the Eastern District of Texas, Sherman Division, in Docket No. 4:20-CR-00159-003, charging Defendant with Conspiracy to Possess with Intent to Manufacture and Distribute Methamphetamine; and (2) On February 24, 2021, a three-count, Third Superseding Indictment was filed in the Eastern District of Texas, Sherman Division, in Docket No. 4:20-CR-00159-003, charging Defendant with Count 1 – Conspiracy to Possess with Intent to Manufacture and Distribute Methamphetamine; and Count 2 – Conspiracy to Commit Money Laundering. According to DEA reports, on or about January 2020, and continuously thereafter up to and including July 8, 2020, Defendant, a.k.a “Llaves” was involved with several co-conspirators in the distribution and trafficking of numerous loads of methamphetamine, and money laundering the proceeds. On July 27, 2023, Defendant pled guilty to Count 1 – Conspiracy to Possess with Intent to Manufacture and Distribute Methamphetamine in Docket No. 4:20-CR-00159-003. (Dkt. #2 at pp. 1–2, Sealed).

Prior to the Government putting on its case at the final revocation hearing, Defendant entered a plea of true to allegations 1 and 2 in the First Amended Petition. Having considered the First Amended Petition and the plea of true to allegations 1 and 2, the court finds that Defendant did violate his conditions of supervised release.

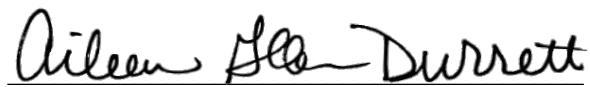
Defendant waived his right to allocute before the District Judge and his right to object to the report and recommendation of this court.

RECOMMENDATION

Pursuant to the Sentencing Reform Act of 1984, the court recommends that Defendant's supervised release be revoked and that he be committed to the custody of the Bureau of Prisons to be imprisoned for an additional term of twenty-four (24) months, to run consecutively to the sentence imposed in 4:20-CR-00159-003, with no term of supervised release to follow.

The court finally recommends that Defendant be housed in a Bureau of Prisons facility in the Seagoville, Texas area, if appropriate.

SIGNED this 4th day of October, 2024.



Aileen Goldman Durrett
AILEEN GOLDMAN DURRETT
UNITED STATES MAGISTRATE JUDGE